

Minutes of the Planning Commission meeting held on Thursday, February 4, 2010, at 6:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Jim Harland, Chair
Sheri Van Bibber, Vice-Chair
Tim Taylor
Karen Daniels
Jeff Evans
Kurtis Aoki
Ray Black
Ray Christensen, Senior Planner
Tim Tingey, Community & Economic Development Director
G.L. Critchfield
Citizens

Jim Harland opened the meeting and welcomed those present.

APPROVAL OF MINUTES

Karen Daniels made a motion to approve the minutes as written from January 21, 2010. Seconded by Sheri Van Bibber.

A voice vote was made. The minutes were approved unanimously, 7-0.

CONFLICT OF INTEREST

There were no conflicts of interest noted regarding this agenda.

APPROVAL OF FINDINGS OF FACT

Jeff Evans made a motion to approve the Findings of Fact for a Conditional Use Permit for Clearwire at 4640 South 900 East. Seconded by Tim Taylor.

A voice vote was made. The motion passed unanimously, 7-0.

MAX & SUSAN REESE – 977 East 5600 South & 5576 South Revere Circle, Project #10-101

This item was withdrawn from the agenda.

VINE PLACE APARTMENTS – 228 East Vine Street – Project #10-110

Darlene Morgan was the applicant present to represent this request. Ray Christensen reviewed the location and request for a one year time extension for a Conditional Use Permit approval for an apartment development at the property addressed 228 East Vine Street due to economic circumstances. Vine Place Apartments received Conditional Use Permit approval for a 6 unit apartment building located within the R-M-15 zoning district at the Planning Commission meeting dated February 15, 2007 subject to meeting conditions of approval. The applicants had also requested a time extension from February 15, 2009 to February 15, 2010 which was approved by the Planning Commission. The Land Use Regulation Section 17.56.100.C. states “Unless there is

substantial action under a Conditional Use Permit within a maximum period of 2 years of its issuance, the Conditional Use Permit shall expire. The Planning Commission may grant a yearly extension, when deemed in the public interest.” Based on the above request and information, staff recommends approval of a one year time extension of the Conditional Use Permit for the Vine Place Apartments until February 15, 2011.

Darlene Morgan, stated she and her husband own the property at 228 East Vine Street. Ms. Morgan stated that they have sold the property but the new owners could not obtain a construction loan. Therefore, they are requesting an extension pending financing. She stated that she is aware of the original conditions which will remain with the approved six unit complex.

No comments were made by the public.

Jeff Evans made a motion to approve a one year time extension of the Conditional Use Permit for the Vine Place Apartments at 228 East Vine Street with a new expiration date of February 15, 2011. Seconded by Ray Black.

Call vote recorded by Ray Christensen.

A__ Karen Daniels
A__ Sheri Van Bibber
A__ Jim Harland
A__ Jeff Evans
A__ Tim Taylor
A__ Kurtis Aoki
A__ Ray Black

Motion passed, 7-0.

CHECK LOAN AUTO, LLC – 4512 South Commerce Drive, Project #10-111

Russ Krantz was the applicant present to represent this request. Ray Christensen reviewed the location and request for Conditional Use Permit approval for auto sales on a .22 acre parcel. Municipal Code Ordinance 17.152.030 allows auto sales within the M-G-C zoning district subject to Conditional Use Permit approval. The existing building was previously used by a construction contractor. The applicant plans to use the existing office and park the cars for sale inside the building in the warehouse area. The applicant indicated there will be approximately 4-8 vehicles for sale at a time. The site plan shows there are 4 parking stalls in front of the building and 4 additional stalls at the west side of the property for use by customers and employees. There is about 1,000 sq.ft. of office space which will require 4 parking stalls and one ADA parking stall. The plan shows one van accessible disabled stall at the front of the building which will need to be striped and meet ADA regulations with a sign posted. The Building Official noted to meet building and fire code requirements and that auto repair and detailing is not allowed in this unit. Based on the information presented in this report, application materials submitted and the site review, staff recommends approval subject to conditions.

Russ Krantz, 5103 Wander Lane, stated he has reviewed the staff report and conditions and will comply.

Karen Daniels asked about the name of Check Loan Auto and that it implies a check cashing business. Mr. Krantz responded he purchased this business from an individual who had a check cashing business prior to the auto dealership, but this particular business will be strictly auto sales.

Jim Harland asked about the dumpster requirement for this project and will this improvement be required by the property owner. Mr. Krantz responded that they are not planning to have a dumpster on the property at this time. He stated that they have striped the parking lot per code.

Ray Black asked Mr. Krantz if there will be any auto repair conducted on the site. Mr. Krantz responded there will be no auto repair done at this site and will be strictly for auto sales.

Ray Black made a motion to grant Conditional Use Permit approval for Check Loan Auto at 4512 South Commerce Drive subject to the following conditions:

1. The structure shall meet all building and fire codes. No repair or detailing will be allowed in the building.
2. The project shall meet all current fire codes.
3. Use of a dumpster container shall be screened as required by Section 17.76.170.
4. Cars for sale shall be kept within the building and not in the parking lot used by customers and employees.
5. The parking stalls shall be striped, including one disabled stall to meet the zoning and ADA regulations.

Seconded by Kurtis Aoki.

Call vote recorded by Ray Christensen.

A Kurtis Aoki
A Ray Black
A Tim Taylor
A Jim Harland
A Sheri Van Bibber
A Jeff Evans
A Karen Daniels

Motion passed, 7-0.

ANDY KELSCH – 6001 South 700 West, Project #10-112

Andy Kelsch was present to represent this request. Tim Tingey reviewed the location and request for Conditional Use Permit approval for an accessory dwelling unit (ADU) for the property addressed 6001 South 700 West located within the R-1-8 zoning district on .18 acres. Municipal Code Ordinance 17.78.030 allows for Accessory Dwelling Units in any single family residential zoning district subject to Conditional Use Permit approval. This is the first accessory dwelling unit proposed since the newly adopted ordinance. The applicant proposed to construct an accessory dwelling unit above their existing residence. The plans submitted show a two-bedroom unit with access via a stairway on the exterior of the unit. The ordinance requires submittal of evidence that the unit is the principal residence of the owner and an affidavit stating that the owner of the property will live in either the principal or accessory unit. The standards for accessory dwelling units require an additional two off-street parking spaces besides those required for the principal unit and in no case less than 4 spaces. The submitted plan shows adequate space available for off-street parking. A portion of the driveway is in disrepair and the conditions of approval include repairing the existing driveway. The ordinance limits the size of the accessory dwelling unit to 1,000 sq.ft. or 40% of the square footage of the primary structure whichever is less. The plans indicate that the unit will be less than 1,000 sq.ft. County records indicate the existing square forage of the home is 2,260 sq.ft. consisting of a main floor and finished basement. The proposed ADU will be less than 40% of the exiting square footage. The proposed unit includes 2 bedrooms which is the maximum allowed by ordinance. Separate entrances to accessory units by located to the side or rear of the structure to maintain the single family dwelling appearance and character. The entrance to the ADU is located on the south side of the structure. The site plan will need to be revised so that the bottom of the stairs begin at the rear (east) of the building. Based on the information presented, application materials submitted and the site review, staff recommends approval subject to conditions.

Andy Kelsch, 6001 South 700 West, stated he has reviewed the staff recommendations and will comply.

Jeff Evans stated that he recognized the Kelsch's from their involvement with the drafting and adoption of this new ADU ordinance and complimented them on following through with the desire to have an ADU.

Ray Black asked Mr. Kelsch if he intends to construct the second unit for a family member and if Mr. Kelsch has calculated how long it will take to get a return on his investment for the addition of the second unit. Mr. Kelsch responded the second unit will be for a family member and his father-in-law lives to the rear and this unit will be for his sister-in-law.

No comments were made by the public.

Karen Daniels made a motion to grant Conditional Use Permit approval for an accessory dwelling unit for Andy Kelsch at 6001 South 700 West subject to the following conditions:

1. The project shall meet all applicable building code standards.

2. Provide stamped and sealed drawings by a licensed structural engineer to include an analysis of the existing structure.
3. The project shall meet all current fire codes. Dwellings shall be separated from each other by wall and/or floor assemblies having not less than one-hour fire resistive construction. See IRC Section R317.1, R317.1.1, etc.
4. The applicant shall submit evidence that the property is their principal residence.
5. The applicant shall submit an affidavit stating that they are the owner of the property and that they will live in either this primary or accessory unit as their principal residence. Once the affidavit has been approved by City staff, it shall be recorded against the property. A copy of the recorded affidavit shall be provided to Community & Economic Development Staff.
6. Separate utility meters shall not be allowed.
7. The applicant shall revise the design drawings to show the bottom of the stairway accessing the upper unit relocated to the rear (east) side of the property.
8. Prior to occupancy of the accessory unit, deteriorated sections of the driveway shall be repaired/replaced.

Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

A Kurtis Aoki
A Ray Black
A Tim Taylor
A Jim Harland
A Sheri Van Bibber
A Jeff Evans
A Karen Daniels

Motion passed, 7-0.

MOUNTAIN VALLEY AUTO – 4195 South 500 West #95, Project #10-113

Scott Neville was the applicant present to represent this request. Ray Christensen reviewed the location and request for Conditional Use Permit approval for auto sales for the property addressed 4195 South 500 West, Unit #95. Municipal Code Ordinance 17.152.030 allows auto sales use within the M-G-C zoning district subject to Conditional Use Permit approval. Unit #95 is located to the north area of the property in a multi-tenant building containing various business uses. The other units contain various business uses such as auto repair, office/warehouse and manufacturing uses. The access to this unit #95 is from driveways connecting to 500 West Street. The Building Official noted the structure shall meet all building and fire code requirements. No repair

or detailing shall be allowed in the building. The site shows inoperable and dismantled vehicles on the lot and will need to be removed.

Kurtis Aoki clarified that auto repair and detailing is not permitted with this application for this unit.

Scott Neville, 5327 South 560 East, stated he is representing this request. He stated he will comply with the recommended conditions of approval. He stated that the landlord is aware of the conditions that will need to be completed. Mr. Neville stated there will be three employees for this business and they are starting small with no debt and wish to provide affordable, fuel economic vehicles for customers.

Ray Black asked Mr. Neville who will be responsible for the dumpster. Mr. Neville responded that the landlord will be responsible for the dumpster requirement which is in place and he is aware that these conditions must be met prior to issuance of a business license.

Jeff Evans asked the city's definition of auto detailing. Mr. Neville asked if he will be able to clean a car in order to sell the vehicle. He understands that painting is not permitted for this unit, but they would like to be able to clean up a vehicle, but if not allowed he will take the vehicles off-site.

Tim Tingey responded that building codes for auto detailing issues for auto repair and/or replacing of parts is not allowed for this particular use. Ray Christensen stated that detailing and washing of vehicles is not permitted and the vehicles would need to be taken to a car wash site to prevent residue of any kind.

Sheri Van Bibber clarified that the vehicles for sale will all be located inside the building. Mr. Neville concurred.

No comments were made by the public.

Tim Taylor made a motion to grant Conditional Use Permit approval for auto sales for Mountain Valley Auto at 4195 South 500 West #95 subject to the following conditions:

1. The project shall meet all applicable building and fire code standards. Repair and detailing is not permitted.
2. The project shall meet all Fire Department requirements to meet current fire codes.
3. The parking stalls shall be striped on the site, including a van accessible stall will need to be striped with sign posted, to meet parking and ADA regulations. Removal of any inoperable vehicles is required for the customer parking.
4. Use of a dumpster container shall be screened as required by Section 17.76.170.

Seconded by Sheri Van Bibber.

Call vote recorded by Ray Christensen.

A Kurtis Aoki
A Ray Black
A Tim Taylor
A Jim Harland
A Sheri Van Bibber
A Jeff Evans
A Karen Daniels

Motion passed, 7-0.

STATE STREET CORRIDOR STUDY PRESENTATION - "LIFE ON STATE"

Tim Tingey stated that Murray City has been participating in a study for the State Street Corridor which includes numerous cities and the county and cover from Salt Lake City to Draper and Sandy. The Planning Center was selected as the consultant for this study and Ted Knowlton is here to represent that study. There have been numerous public meetings held previously to receive input for this proposal.

Ted Knowlton, representing The Planning Center, stated there have been over 500 people involved in this process. He stated the immediate response for the State Street project is "I hate that street". Historically State Street has been the main street of the entire valley and was the original highway and was basically the Route 66 which terminates at the State Capitol. The vision of "a great street" has been lost. The idea with this study is to take a look at the longer term horizon and get all of the parties involved that shape the street and all the transportation agencies to explore the option of what it should look like. The study will hopefully be finalized this month and the vision is organized around five principles which are:

- 1- Cultivate the identity corridor wide.
- 2- Solutions that fit with the different characters up and down the street.
- 3- Public transportation.
- 4- Most in-town arterials have much retail and, at times, more retail than the buying power that nearby communities can support which inhibits the desire of the private sector to invest.
- 5- Think strategically about locations along State Street to try a different template and where would it start for the optimal results.

Mr. Knowlton suggested having periodic street trees the entire length of the street with varying species, if the different cities desired, and high standards for street lighting. One of the ideas is to have a periodically repeating signature monument. The notion would be that the monument would take on the character of the neighborhood or city to reflect the character of that area besides being a uniform monument. Customized

solutions based on the context of different places on State and explicitly do this based on the context that is being worked towards, and not necessarily just taking for granted what we have today and living for that but striving in a way that is pragmatic. He said they have taken public feedback from the workshops and designated each portion of State Street based on one of those three categories which are walkable corridors, transit ways, and auto first. The notion with walkable corridors is to look at the street with the view of where is the existing main street fabric. The transit way system is trying to acknowledge that most businesses on State Street are going to tend to be standard suburban businesses that we're used to. The question is can this plan start to site and design those areas to create a much better public experience on the streets. This is especially great for people who walk.

Mr. Knowlton stated they have looked at public right-of-ways, especially with the walkable corridors and UDOT ought to explore changes to the way traffic functions such as slower traffic and allow a broader set of reconfigurations. Part of the notion for this project is "how do we make a difference with a body that can be fairly rigid" such as UDOT. One of the notions is that if a lot of the cities step up and support this project and there is a solid vision and has momentum, then UDOT representatives have indicated how to get results. This project is in every city's best interest to get involved.

Tim Taylor asked who are the UDOT representatives Mr. Knowlton has been working with. Mr. Knowlton responded the primary representative is John Thomas. Mr. Knowlton stated that UDOT would more likely respond to this project with support of the cities.

Ted Knowlton stated the notion of creating a modern street car is also an option. This has been occurring in other cities such as Portland and Tacoma and can ignite private sector interests in living and working near these stations. This is a longer term goal for State Street that can happen, but not without changes. He explained that in order to entice UTA and the federal government to step forward and think about an investment such as this project, they will need to demonstrate as a group of communities that there is supportive zoning. Zoning that will enable housing, employment, and forms of development that put riders on the doorstep of using transit.

Sheri Van Bibber asked about a recent project that was working with Midvale, Taylorsville and Salt Lake Community College for a transit system. Mr. Knowlton responded that was a bus rapid transit system.

Sheri Van Bibber asked about parking along State Street and particularly in the downtown area and it is frustrating when there is lack of parking and potential customers keep driving on when there is not adequate parking. Mr. Knowlton responded that the committee did not look a lot at parking demand.

Ted Knowlton stated that this project includes identifying places where there are amenities that can built upon such as creeks, parks, civic buildings, nearby Trax stations. He stated slowly through urban design, transit, public streetscape improvements steer the ship into a different direction. He stated there must be a destination point to attract people and then it must be convenient for people to want to stay and visit the project.

Tim Tingey stated the design elements of walkability, transportation opportunities which over time will take place connecting with open space, parks, integrated together there could be a time where walking to a potential Trax stop would be desirable and it starts with design and these types of concepts being proposed with "Life on State".

Ted Knowlton stated that Life on State is a vision and does not work out the technical details and really has no meaning unless it starts to translate into actions and development with cities, UDOT and UTA. The bottom line is, can there be a coordinated effort that sends a signal that the community is serious about having something different for State Street, and results can happen if there is a demonstrated political momentum. He asked the commission members to review the Life on State proposal and possibly incorporate it as an addendum to the city's General Plan.

Ray Black expressed concern about parking. He stated that he has property in Salt Lake City on 400 South near a Trax station that a restaurant use is interested, but they have indicated the only hesitation is lack of adequate parking. He stated the interested restaurant groups have been IHOP and Mimi's Café. He asked Mr. Knowlton how he would respond to this dilemma. Mr. Knowlton responded that national franchises tend to have rigid parking supply standards and if that is their requirement, it would limit some of the sites they would be willing to locate.

Tim Tingey stated that the trend is moving away from the typical parking standards because of these issues and the possibility of using transit opportunities.

Kurtis Aoki stated that if a main artery is developed for transit it could be is a substitute for lack of parking. He stated that Utahns love their cars and tend to not use transit as much as other larger cities.

Tm Taylor stated that the future starts now and that is why this Life on State is being reviewed. He stated he supports the idea of lowering standards because it at least enables businesses that are willing to try something different or maybe lower the required ratios for a particular property where the required standards just don't work and there should be some give.

Sheri Van Bibber stated that the Murray downtown ordinance was designed with the lack of available parking in mind and the standards are less than typical throughout the city and the theatre is a success because of that.

Ray Black expressed frustration with having to meet parking requirements in Salt Lake City in order to make the property attractive and viable for potential restaurant uses.

Ted Knowlton stated if there is a walkable community that works because there is usually a lack of parking and it is not because it offers the cheapest goods or is the closest, but it succeeds because it is a "different experience". He stated that when business demand a certain amount of parking for their restaurant location, it is a private business decision and it is not up to the city or government to help them work out a solution.

Jim Harland asked what communities are involved with Life on State and how is it being funded. Mr. Knowlton responded that every city that has State Street frontage in Salt Lake County is involved with this project from Salt Lake City to Draper and Sandy. He stated there is no great answer for funding, but this is a vision and is intended to set a point on the horizon that may work. He stated additional committee members consist of the Salt Lake Chamber and Wasatch Front Regional Council, Utah Department of transportation and Utah Transit Authority.

Tim Taylor stated just this past week the Wasatch Front Regional Council released a map that shows what is expected for our entire region in the year 2040 and The Planning Center has also been involved with that.

Jeff Evans stated Murray City is unique because there will be a Front Runner connection and the city also has one of the best parks and in the country and the Jordan River Parkway trail and an east-west connectivity is essential.

The commission members thanked Mr. Knowlton for his presentation and efforts.

Meeting adjourned.

Tim Tingey
Community & Economic Development Director